

The Ecclesiastical Province of Canada

Provincial Council

September 27-30, 2007

Diocese of Fredericton

Minutes

Thursday, September 27

Following the afternoon Executive meeting, twenty-nine(29) members and five(5) guests registered in the Mactaquac Inn Lobby, Fredericton.

Present: The Most Rev'd Bruce Stavert(Qc), Metropolitan; The Rev'd Alan T. Perry(Mtl), Prolocutor; Margaret Jenniex(CNF), Deputy Prolocutor; Canon Charles Ferris(F'ton), Chancellor; Eric Dryden(Mtl), Treasurer; John Moores(WNF), Lay Secretary; The Rev'd Berdina Ford(CNF), Clerical Secretary; Wayne Hamlin(NSPEI); The Right Rev'd David Torraville(CNF); Rick Olsen(ENL); The Venerable James Bennett(Mtl); Captain Robert Marsh(Church Army); Robert Mesher(WNF); The Rev'd Dr. Stephen Andrews(Prolocutor of General Synod & President of Thorneloe University); Jean Hamilton(F'ton); Tina Oppong (Mtl), Youth; The Rev'd Lorna Baird(Qc); Joan Gibb(Qc); The Rev'd John Watton(CNF); Jennifer Schwartz(NSPEI), Youth; Winston Walters(CNF); Mr. Chris Miller (Prolocutor of the Province of Ontario); Jeffrey Petten(ENL), Youth; The Right Rev'd Sue Moxley(NSPEI); The Rev'd James Pratt(WNF); The Right Rev'd Cyrus Pitman(ENL); The Rev'd Roger Whalen (ENL); The Right Rev'd Percy Coffin(WNF); The Venerable John Clarke(NSPEI); The Rev'd Edmund Laldin(Interfaith Dialogue Committee); The Right Rev'd Dr. Claude Miller(F'ton); The Very Rev'd Keith Joyce(F'ton); The Right Rev'd Ewen Ratteray(Bishop of the Diocese of Bermuda); Amanda Stephenson(Mtl).

Registrants traveled to the community of Prince William and enjoyed dinner at St. Clement's Church Parish Centre. The Opening Eucharist was held at St. Clement's Church, Presider- The Right Rev'd Dr. Claude Miller assisted by The Rev'd Canon Elaine Hamilton, Rector. The Rev'd Dr. Stephen Andrews was guest preacher.

With a quorum confirmed by the secretaries the Metropolitan welcomed all and declared the Provincial Council meeting opened. The Diocesan Bishop extended a welcome and brought Greetings on behalf of the Diocese of Fredericton. Diana Stavert extended a vote of thanks to the Rector and people of St. Clement's Parish for the meal and use of the facilities for the evening's meeting.

Regrets: The Right Rev'd Barry Clarke(Mtl); The Venerable Michael Pollesel(General Secretary

of General Synod).

Thursday, September 27 (cont'd)

The Prolocutor introduced Housekeeping items and invited the Treasurer to provide information regarding travel and spousal expenses.

Motion 1:

Moved By: Berdina Ford(CNF)

Seconded By: Wayne Hamlin(NSPEI)

The Minutes of 2006 Provincial Synod be adopted as circulated. **Motion Carried.**

Motion 2:

Moved By: Berdina Ford(CNF)

Seconded By: James Pratt(WNF)

The Minutes of 2006 Provincial Council Meeting be adopted as circulated. **Motion Carried.**

Correspondence: A letter of Greeting was received from the Primate, The Most Rev'd Fred Hiltz.

Motion 3:

Moved By: Alan T. Perry(Mtl)

Seconded By: Tina Oppong(Mtl)

A letter of congratulations and greeting be sent to the Most Rev'd Fred Hiltz upon his election as Primate of the Anglican Church of Canada:

Your Grace,

On the occasion of our first meeting since your election and elevation to the Primacy of All Canada, the Council of the Ecclesiastical Province of Canada wishes to express its delight and sincere congratulations to you on the attainment of your new office. Your wisdom, good humour and passion for the mission of the Church have long been valued contributions to the life of this Province. Now, as you place yourself at the service of the whole Canadian Church, we pray God's blessing on you in your new ministry. There will always be a place for you in our hearts and in our prayers, and an empty chair in our meetings ready for you to fill it.

Motion Carried.

The Metropolitan announced the appointment of following persons to the Courtesies Committee: The Right Rev'd Percy Coffin(WNF); The Ven. James Bennett(Mtl); Jennifer Schwartz(NSPEI).

The Metropolitan brought the Council's attention to the diocesan and other reports.

Motion 4:

Moved By: Keith Joyce(F'ton)

Seconded By: Amanda Stephenson(Mtl)

That all reports be received. **Motion Carried.**

The Prolocutor then gave instructions regarding the submission of Notices of Motion and announced the closure of Notices of Motion set for 3:00 pm, Saturday, September 29.

Motion 5:

Moved By: Charles Ferris(F'ton)

Seconded By: Alan T. Perry(Mtl)

That section 3.2 of the Sexual Misconduct Policy be replaced by the following:

3.2 Sexual Assault

3.2.1 For the purposes of this policy, a "sexual assault" is an assault which happens in circumstances of a sexual nature and violates the sexual integrity of the person who is assaulted.

3.2.2 These definitions and principles shall be considered when applying this definition and this policy:

3.2.2.1 An assault happens when:

- a) one person applies force to another person or threatens to apply force
- b) intentionally, and
- c) without consent.

3.2.2.2 The assault will be "aggravated" if the person who is assaulted is wounded, maimed or disfigured or his or her life is endangered.

3.2.2.3 In deciding if an assault is sexual, many factors may be considered including the part of the body touched or threatened to be touched, the situation in which it occurred, the words and gestures of the person alleged to have committed the assault and any words and gestures of the person alleged to have been assaulted.

3.2.2.4 Gender is not relevant to a determination of whether a sexual assault has occurred.

3.2.2.5 Sexual Offences are described in Part V and Part VIII of the Criminal Code of Canada

- and some of those offences are:
- * aggravated sexual assault;
 - * bestiality;
 - * incest;
 - * inviting a person under the age of fourteen to touch for a sexual purpose;
 - * sexual assault;
 - * sexual assault with a weapon or sexual assault causing bodily harm;
 - * sexual exploitation which is sexual interference of invitation by a person in a position of trust or authority;
 - a. towards a young person
 - b. towards a person in a relationship of dependency or
 - c. towards a person with a mental or physical disability; and
 - * sexual interference which is sexual touching of a person under the age of fourteen

3.2.3 NOTE: Consent is understood as non-coercive. If a victim agrees to any assault under threat, or if a consent is obtained by fraud or by the influence of a person in authority over the victim(e.g. counsellor, pastor, guardian), it will be deemed to be no consent. An accused may show “honest belief” of consent and may not be convicted.

However, it is always no consent for children under age 12; under specific circumstances with peers for children age 12-14, and with young persons age 14-18, consent is not valid if the accused was in a position of authority over them. Also there are further provisions for mentally or otherwise incapacitated or vulnerable children, adolescents or adults.
(Criminal Code of Canada, Bill C-127, 1983 and Bill C-15, 1988)

Background to motion:

This wording is intended to clarify the definition of sexual assault in the policy and does not materially change the policy or its application.

Motion Carried.

Motion 6:

Moved By: Charles Ferris(F'ton)

Seconded By: Alan T. Perry(Mtl)

That the Provincial Council, pursuant to s.3(16)(c) of the Constitution adopt the following Provincial Archives Policy:

The Ecclesiastical Province of Canada

Provincial Archives Policy

1. Definitions

“Province” means the Ecclesiastical Province of Canada.

“Provincial Archivist” means the Provincial Archivist appointed by the Synod of the Province pursuant to s.3(16)(c) of the Constitution,

“records” means:

- (a) correspondence, memoranda, forms and other papers and books,
- (b) maps, plans and charts,
- (c) photographs, prints and drawings,
- (d) motion picture films, microfilms and videotapes,
- (e) sound recordings, magnetic tapes,
- (f) records in electronic form,
- (g) all other documentary materials regardless of physical format or characteristics, and, without limiting the generality of the foregoing, includes records:
 - (i) prepared or received by the Province in connection with the transaction of its business,
 - (ii) preserved or appropriate for preservation by the Province,
 - (iii) containing information on the organization, functions, procedures, policies or activities of the Province, or other information of past, present or potential value to the Province,
- (h) any document, in any format, including without limiting the generality of the foregoing, any document relating to the exercising of the jurisdiction and powers of the Synod and the fulfilment of its purpose as it may from time to time be defined, including specifically:
 - (i) the Constitution and Canons certified under the seal of the Synod, which shall be deemed the original record thereof,
 - (ii) records of the election or appointment of provincial clergy and lay officers,
 - (iii) all grants, conveyances and wills, or all pertinent extracts therefrom, in any way relating to property granted, conveyed, bequeathed, or devised for the benefit or use of the Synod of the Province,
 - (iv) Certificates of Election and Consecration, and other similar instruments of the Metropolitan,
 - (v) the minutes, reports, correspondence, and other records of Synod, its officers and agencies, committees and organizations, and any reports, surveys and studies commissioned by the Synod,
 - (vi) other instruments and records of historical value, and
 - (vii) copies of insurance policies and information relating to insurance coverage by the Province.

2. The Provincial Archivist

- 2(1) There shall be an Archivist of the Province who shall be appointed by the Provincial Synod, who shall carry out the functions set out in s. 3(16) of the constitution, together with such other functions as may be conferred by the Synod or the Provincial Council.
- 2(2) The Provincial Archivist shall be the custodian of records of official acts affecting the Province.
- 2(3) The Secretaries of Synod shall ensure that records are transferred regularly and routinely to the Provincial Archivist.
- 2(4) The Provincial Archivist shall ensure that all archival records are preserved, arranged and described according to commonly accepted archival principles.
- 2(5) The Provincial Archivist shall endeavour to acquire the papers and other records of individuals related to provincial activities.
- 2(6) The Provincial Archivist shall ensure there is reasonable access to the Provincial archives.
- 2(7) The Synod may make an agreement with a diocesan or governmental Archives to carry out any of the functions under this Policy.
- 2(8) The Synod shall provide a secure place for the archival records.
- 2(9) The Provincial Archivist shall manage all archival records, and arrange and describe them according to commonly accepted archival principles, in accordance with s. 3(16) of the Constitution and this Policy.

The Provincial Archives Committee

- 3(1) The Provincial Council, after consultation with the Provincial Archivist, may appoint members to the Provincial Archives Committee to advise and assist the Provincial Archivist.
- 3(2) The Provincial Archives Committee shall consist of up to seven persons, at least two of who shall be clergy and lay appointments representing at least three dioceses of the Province.

Motion Carried.

With respect to the Provincial Privacy Policy and ACPO files security, the Chancellor, Canon Charles Ferris, advised he would be contacting Dr. Eileen Scully, General Synod level and the

Right Rev'd Cyrus Pitman, Chair of ACPO at the National Church level.

Hospitality was hosted at Bilijk Lodge adjacent to Mactaquac Inn.

Friday, September 28

Council reconvened at 9:00 am with Morning Prayer led by the Diocese of Montreal. The Metropolitan welcomed the retired bishop of the Diocese of Fredericton, The Right Rev'd William Hockin, who facilitated Bible Study focusing on "Finding Jesus in a Multi-Faith World."

The Metropolitan officially introduced the guests of Provincial Council:
The Rev'd Edmund Laldin, Chair - Provincial Interfaith Dialogue Committee;
The Rev'd Dr. Stephen Andrews, Prolocutor of General Synod and President of Thorneloe University
Captain Robert Marsh, Church Army
The Right Rev'd Ewen Ratteray, Bishop of the Diocese of Bermuda
Mr. Chris Miller, Prolocutor of the Province of Ontario
The Venerable Geoffrey Hall, Executive Officer of the Diocese of Fredericton
Canon Ron Stevenson, former Chancellor of General Synod.

Motion 7:

Moved By: Sue Moxley(NSPEI)

Seconded By: Joan Gibb(Qc)

That the privileges of the House be extended to these guests.

Motion Carried.

The Prolocutor announced an adjustment to the afternoon agenda. Due to inclement weather the Kings' Landing Outing was rescheduled for the following afternoon. A revised agenda outlining the order of business would be distributed to Council members prior to the afternoon session.

The Metropolitan delivered the Presidential Address. Archbishop Stavert also stated he would request the senior bishop to summon the Provincial Council in September 2008 as an Electoral College for the purpose of electing a Metropolitan.

Reports:

The Prolocutor welcomed the Venerable Geoffrey Hall who presented the Terms of Reference of the newly formed Provincial Theological Education Commission. The Province of Canada -

Theological Education Commission members are: Canon Dr. John Simons, Montreal Diocesan College(Mtl); The Venerable Dennis Drainville, Archdeacon of Gaspé(Qc); The Venerable Geoffrey Hall, Executive Assistant(F'ton); Canon Eric Beresford - Atlantic School of Theology (NSPEI); The Right Rev. Sue Moxley(NSPEI); The Rev. Dr. Joanne Mercer - Queen's College (CNF); The Rev. Dr. John Mellis - Queen's College(ENL); The Rev. Heather MacEachern - Deacon (NSPEI) and Cynthia Haines- Turner - WNF.

The Venerable Geoffrey Hall presented the Diocese of Fredericton Report. Highlights focused on: 1) Shared Ministry Plan; 2) Diocesan Camps Renewal; 3) Policy Development and 4)Information Management.

The Venerable John Clarke and Wayne Hamlin briefly referred to the Nova Scotia & PEI Diocesan Report.

Bishop Cy Pitman spoke of the recent new initiatives and new styles of ministry and worship in the Diocese of Eastern Newfoundland & Labrador and of the cooperative efforts towards a united northern ministry in Labrador between the Anglican and Moravian churches.

Mid-Day Prayer was led by the Diocese of Quebec.

The Prolocutor introduced the Presenters for the afternoon session: The Rev. Edmund Laldin - Interfaith Dialogue Committee and the Rev Dr. Stephen Andrews- Prolocutor of General Synod and President of Thorneloe University.

Interfaith Dialogue Committee:

The Rev. Edmund Laldin gave an overview of the background and biblical basis for the newly formed Interfaith Dialogue Committee. He referred to the 39 Principles of the World Council of Churches which were adopted by the National Church and emphasized the need for healthy dialogue and reflection in our multi faith society. In attempting to seek a common ground it is important that we move towards a culture of acceptance and a culture of understanding. He emphasized the need for episcopal and member representation from every diocese in the Ecclesiastical Province. Group discussions followed on the topics of Strengths; Weaknesses; Opportunities and Threats in relation to interfaith issues in our prospective dioceses. The presenter concluded by stating the importance of encouraging and fostering interfaith dialogue events in the Province.

General Synod Matters:

The Rev. Dr. Stephen Andrews gave a brief report of the General Synod held in Winnipeg, June 2007 noting the following highlights:

1) The recent appointment of a National Indigenous Bishop for the Church of the North.

- 2) The commitment is to maintain a grant to the Council of the North for the next five years. This amount is 24% of the total General Synod Budget.
- 3) The Windsor Report Response Group was developed with strong commitment on the following two points, in particular;
 - That the Church be involved in an extensive listening process and;
 - That the Church encourage the rights and responsibilities of full membership in the Anglican Church of Canada.
- 4) The document defining the jurisdiction of the National Indigenous Bishop had its first reading at General Synod 2007, Winnipeg.
- 5) Concerning ‘Governance’ the Primate will initiate discussions with diocese and provinces with a focus on roles and responsibilities.
- 6) Primacy: The role, duty and functions of the Primate will be reviewed.
- 7) Significant discussions at General Synod on the topic: Blessing of Same Sex Unions.
- 8) The Prolocutor noted the financial reality of General Synod being in debt \$480,000. Stewardship will need to be drawn into the forefront based on these factual figures.

Following these presentations all were transported to All Saint’s Church, Crock’s Point for Holy Eucharist. The Right Rev’d Dr. Claude Miller, Celebrant and the Right Rev’d Ewen Ratteray, Bishop of Bermuda, Preacher. We enjoyed a delicious barbeque salmon dinner at St. Paul’s Church Hall, Zealand with the background dinner music provided by ReJoyce. Guest Speaker for the evening was Dr. Michael Higgins, President & Chancellor, St. Thomas University.

Saturday, September 29

The Prolocutor, the Rev’d Alan T. Perry, called the meeting to order. Morning Prayer was led by the Diocese of Central Newfoundland.

The retired bishop of the Diocese of Fredericton, the Right Rev’d George Lemmon, led us in Bible Reflection based on “St. Michael & All Angels.”

Governance & The Ecclesiastical Province of Canada: Panel Discussion

The Moderator, Canon Charles Ferris, explained that the purpose of this panel discussion arose out of a resolution from General Synod 2007 stating the need to initiate discussions at all levels of the church; Diocese; Province and General Synod.

Canon Charles Ferris, Moderator introduced the Panel Speakers: The Right Rev’d Sue Moxley; (NSPEI); Mr. Chris Miller, Prolocutor of the Province of Ontario; Canon Ron Stevenson, General Synod Chancellor; The Rev’d Alan T. Perry, Prolocutor of the Ecclesiastical Province of Canada.

Following is an abbreviated version of each presentation:

The Right Rev'd Sue Moxley:

Organization needed to achieve goals; relationships within the organization need to be clearly identified; rights and responsibilities to be explained. Using the Framework of the National Church the mission statement is to be lived out by God's people. How and how well are we organized to follow through on what General Synod expects of us? All of us share the responsibility of communal ministry as Christ-centered people wherever we are. Neither of the diocesan, provincial or national structures can successfully operate in a vacuum.

Mr. Chris Miller:

Differences between ecclesiastical provinces present different options for governance. The Province of Ontario consists of seven dioceses and is almost entirely located in the civil province of Ontario. The Provincial Council of Ontario meets for one day twice a year. Not presently being done at the Diocesan or National Church level the Province of Ontario has a Government Secretariat which focuses on any provincial legislation which may affect the church and has a strong base for communication and resource sharing.

Canon Ron Stevenson:

Ecclesiastical provinces have legal or constitutional functions of governance in seven areas: 1)The division of existing dioceses and the realignment of diocesan boundaries; 2)The confirmation of the election of bishops; 3) The consecration of bishops; 4) The resignation of bishops; 5) The constitution of a Provincial Court of Appeal; 6) The regulation of the ministration of the clergy and others and regulation of the oaths and subscriptions of clergy; 7) The authorization of special forms of prayers, services and ceremonies for which no provision has been made under the authority of the General Synod or of the House of Bishops of the Anglican Church of Canada. Could all or some of these responsibilities be delegated to dioceses or National Church? What about the Metropolitan roles? Four Provincial Synods are the product of history. In the light of the work of the church today what do they accomplish and should the roles be redefined?

The Rev'd Alan T. Perry:

On a historical note the question of the future of the provincial structure first arose in 1889 and has been discussed from then at the Synod level until the 1970's. It's statement of purpose was developed in the year 1861 which emphasized the consolidation of governance throughout the dioceses. A gradual unfolding of specific areas of concern and church policy led to the development of two bodies for the purpose of governance; Provincial Synod and Provincial Council. Geography and cultural differences led to the development of other provinces, hence other Provincial Synod and Provincial Councils with the Ecclesiastical province of Canada taking the lead.

A general Question and Answer session followed. The Moderator expressed thanks to Panel Speakers and all participants stating that the conversation needs to continue and that we all need to reflect on this question: "How can we strengthen the work of our Province?" It is expected that a Governance Task Force will look further into these issues.

The Prolocutor advised that Council would reconvene at 2:00 following Mid- Day Prayer. Mid- Day Prayer was led by the Diocese of Nova Scotia and Prince Edward Island.

The Metropolitan announced the deadline for Notices of Motion and invited directions and housekeeping items from the Dean of the Cathedral, The Very Rev'd Keith Joyce.

Motion 8:

Moved By: Sue Moxley(NSPEI)
Seconded By: Wayne Hamlin(NSPEI)

That Provincial Council accept the proposed Terms of Reference for the Theological Education Commission as follows:

This Commission exists to consider and make recommendations for action on:

1. The consistency of processes involved with recruitment, discernment of vocation to ordained ministry, formation of postulants, continuing formation through the mentoring of the newly ordained and creating a culture of ongoing continuing education;
2. Opportunities for lay theological education.
3. New models of ministry and how laity and clergy may be educated and formed to function in new ways for spiritual leadership in faith communities.
4. Sources of funding for lay and diaconal theological education and continuing education.

Motion Carried.

Eric Dryden, Treasurer, presented the Financial Statements, Budget and Assessment.

Motion 9:

Moved By: Eric Dryden(Mtl)
Seconded By: Amanda Stephnson(Mtl)

That the Financial Statements and Budget be accepted as presented.

Motion Carried.

Motion 10:

Moved By: Eric Dryden(Mtl)

Seconded By: Wayne Hamlin(NSPEI)

That the Provincial Assessment be accepted as presented.

Motion Carried.

Members and guests enjoyed the afternoon outing at King's Landing which had previously been postponed due to poor weather.

Following Dinner in Parkview Dining Room the Metropolitan invited reflections from guests and partners; The Rev'd Dr. Stephen Andrews; Mr.Chris Miller; Captain Rob Marsh.

Motion 11:

Moved By: David Torraville(CNF)

Seconded By: Cyrus Pitman(ENL)

That Provincial Council direct the Provincial Executive to explore options to enhance the governance of the Ecclesiastical Province of Canada and to report back to the 2008 meeting of the Provincial Council.

Motion Carried.

Motion 12:

Moved By: Percy Coffin(WNF)

Seconded By: Cyrus Pitman(ENL)

That the Provincial Council of the Ecclesiastical Province of Canada send a memorial to the Council of General Synod with reference to General Synod Financial Statements:

This Council expresses its concern that Financial Statements should be distributed in advance of meetings and synods to allow members to read and analyze their contents and to allow sufficient time for discussion at Council of General Synod and General Synod.

Motion Carried.

Motion 13:

Moved By: Percy Coffin(WNF)

Seconded By: James Bennett(Mtl)

That this Vote of Thanks by the Courtesies Committee(Percy Coffin; James Bennett; Jennifer Schwartz) be expressed to:

- + the Holy One who draws us together in business and in fellowship and calls us to ministry in His Name.
- + All members of Council

- + All our facilitators.
- + The Bishop of the Diocese of Fredericton, the Right Rev'd Dr. Claude Miller.
- + The Local Arrangements Committee including Canon Charles Ferris; Charles Davies; chauffeurs and other helpers.
- + The Rectors and Hospitality Committees of the two parishes; Canon Elaine Hamilton, St. Clement's Parish Church, Prince William and the Rev'd Anthony Kwaw, All Saint's, Crock's Point
- + The ReJoyce singers and musicians.
- + Dean Keith Joyce and the Cathedral committees in anticipation of hosting the celebration for Sunday!
- + The Executive who planned and executed the whole proceedings.
- + The visiting meditation/bible study leaders: The Right Rev'd William Hockin and the Right Rev'd George Lemmon.
- + The Speakers: Dr. Michael Higgins; Mr. Kirk McDonald; The Right Rev'd Ewen Ratteray.
- + The Presenters: The Rev'd Edmund Laldin - Interfaith Dialogue Committee; The Venerable Geoffrey Hall - Theological Education Commission and Diocese of Fredericton Report; The Rev'd Dr. Stephen Andrews - Prolocutor of General Synod & President of Thorneloe University;
- + Governance Panel Speakers - Canon Ron Stevenson; Mr. Chris Miller; Bishop Sue Moxley; The Rev'd Alan T. Perry.
- + Captain Rob Marsh and other guests for their greetings and reflections on the meeting.
- + For those responsible for setting up and organizing the following displays: ACW; Anglican Church Bookstore; Camp Medley; Church Army; Diocesan Archives; Mother's Union; P.W.R.D.F.; Pewter- smiths and other diocesan arts.
- + Evening Hospitality organizers.

Motion Carried.

The Metropolitan announced that the next Provincial Council meeting would be held at Hotel Classique, Quebec City, September 25-28, 2008.

Archbishop Stavert also stated that the House of Bishops has agreed that diocesan responsibility for the Provincial Prayer Care Cycle would cover a two year term. The Diocese of Nova Scotia and Prince Edward Island will assume responsibility for the years 2008 and 2009.

The Metropolitan expressed thanks to all and especially to the host, the Diocese of Fredericton.

Provincial Council adjourned at 7:50 pm on a motion by Amanda Stephenson(Mtl).

Evening Prayer was led by the Diocese of Western Newfoundland.